

BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF LANCASTER COUNTY, NEBRASKA

IN THE MATTER OF ADOPTING)
THE 2009 EDITION OF THE)
INTERNATIONAL FUEL GAS CODE)

RESOLUTION NO. R-12-0010

WHEREAS, Lancaster County, Nebraska, (the "County"), may adopt construction codes by virtue of Neb. Rev. Stat. § 23-172 (Reissue 2007), as amended, which are applicable throughout all of the County except within the jurisdiction of any incorporated city or village, and except within an unincorporated area where a city or village has been granted zoning jurisdiction and is exercising such jurisdiction; and

WHEREAS, the County, pursuant to the Interlocal Cooperation Act, Neb. Rev. Stat. § 13-801 *et seq.* (Reissue 2007), has entered into an agreement with the City of Lincoln (the "City"), providing for enforcement of the County construction codes by the City Codes Administration; and

WHEREAS, one of the provisions of said agreement requires that the County adopt construction codes which have been adopted by the City, in order to provide a uniform code for permit and inspection purposes; and

WHEREAS, the City adopted the International Fuel Gas Code, 2009 Edition, with certain amendments thereto; and

WHEREAS, on January 31, 2012, the Lancaster County Board of Commissioners conducted a public hearing regarding adoption of such construction codes; and

WHEREAS, pursuant to Neb. Rev. Stat. § 23-172, the adoption of any standard code by reference shall be construed to incorporate such amendments thereof as may be made if the copy of such standard code is kept current in the office of the County Clerk.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of Lancaster County that the International Fuel Gas Code, adopted by the City and attached hereto as Exhibit "A", including any amendments thereto, is incorporated in full by this reference and is hereby adopted for use in the County.


BE IT FURTHER RESOLVED that a copy of said Code described herein, be placed on file in the Office of the County Clerk pursuant to Neb. Rev. Stat. § 23-172.

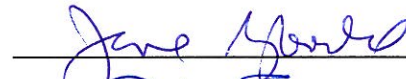

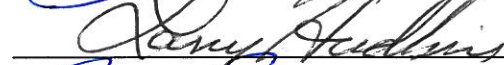
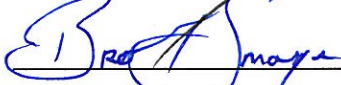
BE IT FURTHER RESOLVED that this Resolution hereby replaces and rescinds previously existing Fuel Gas Code.

DATED this 31 day of January, 2012, at the County-City Building, Lincoln, Lancaster County Nebraska.

BY THE BOARD OF COUNTY
COMMISSIONERS OF LANCASTER
COUNTY, NEBRASKA

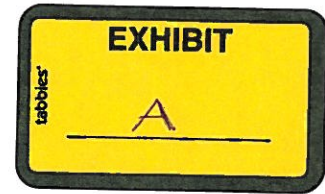
APPROVED AS TO FORM
this 31 day of
January, 2012.


for JOE KELLY
Lancaster County Attorney





Heier Absent

Chapter 25.10

LINCOLN FUEL GAS CODE



Sections:

- 25.10.005 Adoption of the International Fuel Gas Code, 2009 Edition.
- 25.10.010 Section 101.1 Amended; Title.
- 25.10.020 Section 103 Amended; Department of Building and Safety.
- 25.10.030 Section 104.2 Amended; Applications and Permits.
- 25.10.040 Section 104.3 Amended; Inspections.
- 25.10.050 Section 106.1 Amended; Permits; When Required.
- 25.10.060 Section 106.3 Amended; Application for Permit.
- 25.10.070 Section 106.3.2 Amended; Expiration.
- 25.10.080 Section 106.6 Amended; Fees.
- 25.10.090 Section 107.2 Amended; Required Inspections and Testing.
- 25.10.100 Section 107.3.3 Amended; Reinspection and Testing.
- 25.10.110 Section 107.5 Amended; Testing and Inspections;
Temporary Connection.
- 25.10.120 Section 108.4 Amended; Penalties.
- 25.10.130 Section 108.5 Amended; Stop Work Orders.
- 25.10.140 Section 109 Amended; Means of Appeal.
- 25.10.150 Section 301.6 Amended; Plumbing Connections.
- 25.10.160 Section 303.3 Amended: Prohibited Locations.
- 25.10.165 Section 305.1.1 Added; Carbon Monoxide Detection.
- 25.10.170 Section 307.2 Amended; Fuel-burning Appliances.
- 25.10.180 Chapter 4 Deleted; Gas Piping Installations.
- 25.10.190 Sections 501.7, 501.7.1, 501.7.2, 501.7.3 Deleted;
Connection to Fireplace.
- 25.10.200 Section 501.8 Amended; Equipment Not Required to be Vented.
- 25.10.210 Section 502.4 Deleted; Insulation Shield.
- 25.10.220 Section 504.3.22 Deleted; Component Commingling.
- 25.10.230 Section 505.1.1 Deleted; Commercial Cooking Appliances
Vented by Exhaust Hoods.
- 25.10.240 Section 621 Deleted; Unvented Room Heaters.
- 25.10.250 Appendix B Adopted; Sizing of Venting Systems Serving
Appliances Equipped with Draft Hoods, Category I Appliances,
and Appliances Listed for Use with Type B Vents.
- 25.10.260 Appendix C Adopted; Exit Terminals of Mechanical Draft
and Direct-Vent Venting Systems.

25.10.005 Adoption of the International Fuel Gas Code, 2009 Edition.

Except as hereinafter provided by specific amendment, the 2009 edition of the International Fuel Gas Code is hereby adopted. One printed copy of the International Fuel Gas Code, 2009 Edition, has been filed in the office of the City Clerk for use and examination by the public. (Ord. 19659 §1; December 12, 2011).

25.10.010 Section 101.1 Amended; Title.

Section 101.1 of the International Fuel Gas Code is amended to read as follows:

101.1 Title. These regulations shall be known as the Lincoln Fuel Gas Code, hereinafter referred to as “this code.” (Ord. 19659 §2; December 12, 2011; prior Ord. 19277 §1; June 29, 2009).

25.10.020 Section 103 Amended; Department of Building and Safety.

Section 103 of the International Fuel Gas Code is amended to read as follows:

Section 103. Department of Building and Safety.

103.1 Code Official defined. The Director of Building and Safety is hereinafter designated as the “Code Official.” The Code Official or an authorized representative of the Code Official is hereby authorized and directed to enforce all of the provisions of this code.

103.2 Enforcing department. The Department of Building and Safety shall be referenced as the enforcing department and shall be substituted for Department of Inspection in this code. (Ord. 19277 §2; June 29, 2009).

25.10.030 Section 104.2 Amended; Applications and Permits.

Section 104.2 of the International Fuel Gas Code is amended to read as follows:

104.2 Permits. The Code Official shall receive applications and issue permits for installations and alterations under the scope of this code, inspect the premises for which such permits have been issued and enforce compliance with the provisions of this code. Permits for installations under the scope of this code shall be taken out by a registered master mechanical contractor or homeowner as authorized and in accordance with the Lincoln Mechanical Code. (Ord. 19659 §3; December 12, 2011; prior Ord. 19277 §3; June 29, 2009).

25.10.040 Section 104.3 Amended; Inspections.

Section 104.3 of the International Fuel Gas Code is amended to read as follows:

104.3 Inspections. All equipment for which a permit is obtained under this code shall be inspected by the code official.

No portion of any equipment intended to be concealed by any permanent portion of the building shall be concealed until inspected and approved.

When the installation of any equipment is completed, the second or final inspection shall be made. The registered master mechanical contractor shall be required to promptly call for inspection upon completion of the work. Failure to do so shall be grounds for withholding further permits until any backlog of final inspections is completed. In the event that the registered master mechanical contractor authorized to take out a permit intends for the owner of the property to request a final inspection, said registered mechanical contractor shall provide the owner of the property with information on requesting a city inspection. The owner of the property shall have the duty of requesting the final inspection and to provide access and a means for proper inspection.

A final inspection approval may, upon notice, be revoked by the Code Official if the Code Official finds that the fuel gas equipment fails to comply in any respect with the requirements of this

code, or that any installation is unsafe, dangerous, or a hazard to life or property. A time limit of seven days shall be allowed for the correction of rejected installation. Corrections not made and approved by the Code Official in the allotted time shall be grounds for withholding further permits until corrections are made and approved by the Code Official. (Ord. 19659 §4; December 12, 2011: prior Ord. June 29, 2009).

25.10.050 Section 106.1 Amended; Permits; When Required.

Section 106.1 of the International Fuel Gas Code is amended to read as follows:

106.1 When required. A registered master mechanical contractor or homeowner under certain conditions as authorized in the Lincoln Mechanical Code who desires to erect, install, enlarge, alter, repair, remove, convert or replace an installation regulated by this code, or to cause such work to be done, shall first make application to the Code Official and obtain the required permit for the work.

Exception: Where equipment replacements and repairs are required to be performed in an emergency situation, the permit application shall be submitted within the next working business day to the Code Official. (Ord. 19277 §5; June 29, 2009).

25.10.060 Section 106.3 Amended; Application for Permit.

Section 106.3 of the International Fuel Gas Code is amended to read as follows:

106.3 Application for permit. Applications and fees for permits under the scope of this code shall be taken out by a registered master mechanical contractor or homeowner as authorized and in accordance with the Lincoln Mechanical Code.

106.3.1 Construction documents. Construction documents within the application shall be submitted as authorized and in accordance with the Lincoln Mechanical Code. (Ord. 19277 §6; June 29, 2009).

25.10.070 Section 106.3.2 Amended; Expiration.

Section 106.3.2 of the International Fuel Gas Code is amended to read as follows:

106.3.2 Expiration. Every permit issued by the Code Official under the provisions of this code shall expire by limitation and become null and void if the work authorized by such permit is not commenced within 120 days from the date of such permit, or is suspended or abandoned at any time after the work is commenced for a period of 180 days. Before such work recommences, a new permit shall be first obtained and the fee, therefor, shall be one-half the amount required for a new permit for such work, provided no changes have been or will be made in the original construction documents for such work, and further that such suspension or abandonment has not exceeded one year. (Ord. 19659 §5; December 12, 2011: prior Ord. 19277 §7; June 29, 2009).

25.10.080 Section 106.6 Amended; Fees.

Section 106.6 of the International Fuel Gas Code is amended to read as follows:

106.6 Fees. A permit shall not be issued until the fees prescribed in Section 106.5.2 have been paid, nor shall an amendment to a permit be released until the additional fee, if any, due to an increase of the installation, has been paid.

106.6.1 Work commencing before permit issuance. Deleted.

106.6.2 Fee schedule. Any person desiring a permit required by this code shall, at the time of filing an application therefor, pay a fee to the Code Official as set forth in the schedule for

mechanical permit fees under Section 106.5.2, as amended, in the Lincoln Mechanical Code (Lincoln Municipal Code Section 25.04.090).

Where work for which a permit is required by this code is started or proceeded with prior to obtaining said permit, the fees specified in the Lincoln Mechanical Code shall be doubled; but the payment of such double fees shall not relieve any person or persons from fully complying with the requirements of this code in the execution of the work or any other penalties prescribed herein.

106.6.3 Fee refunds. The Code Official shall authorize the refunding of fees as follows:

There shall be no refunds or credits given on permits which have expired. Permit holders returning an unused permit prior to the expiration date of the permit shall be limited to a maximum refund amounting to two-thirds of the original fee for total refund amounts of \$75.00 and less. For permit fee refund totals in excess of \$75.00, a \$25.00 processing fee will be levied against the refund amount, but the two-thirds maximum shall not apply. (Ord. 19659 §6; December 12, 2011; prior Ord. 19277 §8; June 29, 2009).

25.10.090 Section 107.2 Amended; Required Inspections and Testing.

Section 107.2 of the International Fuel Gas Code is amended to read as follows:

107.2 Required inspection and testing. The Code Official upon notification from the permit holder or the permit holder's agent, shall make the following inspections and other such inspections as necessary, and shall either release that portion of the construction or shall notify the permit holder or the permit holder's agent of violations that must be corrected. The holder of the permit shall be responsible for the scheduling of such inspections. The Code Official may require that every request for inspection be filed at least one day before such inspection is desired. Such request may be in writing or by telephone at the option of the Code Official.

It shall be the duty of the person requesting inspection of any equipment regulated by this code to provide access and means for proper inspection of such equipment. It shall also be the duty of the person requesting final inspection to determine that the equipment is operational with permanent gas and/or electrical connections before requesting such final inspection.

1. Underground inspection shall be made after trenches or ditches are excavated and bedded, piping installed, and before backfill is put in place. When excavated soil contains rocks, broken concrete, frozen chunks and other rubble that would damage or break the piping or cause corrosive action, clean backfill shall be on the job site.

2. Rough-in inspection shall be made after the roof, framing, fireblocking and bracing are in place and all ducting and other components to be concealed are complete, and prior to the installation of wall or ceiling membranes.

3. Final inspection shall be made upon completion of the mechanical system. The owner of the property shall have the duty of requesting the final inspection and to provide access and a means for proper inspection.

The requirements of this section shall not be considered to prohibit the operation of any heating equipment or appliances installed to replace existing heating equipment or appliances serving an occupied portion of a structure provided that a request for inspection of such heating equipment or appliances has been filed with the department not more than 48 hours after such replacement work is completed, and before any portion of such equipment or appliances is concealed by any permanent portion of the structure. (Ord. 19659 §7; December 12, 2011; prior Ord. 19277 §9; June 29, 2009).

25.10.100 Section 107.3.3 Amended; Reinspection and Testing.

Section 107.3.3. of the International Fuel Gas Code is amended to read as follows:

107.3.3 Reinspection and testing. Where any work or installation does not pass an initial test or inspection, the necessary corrections shall be made so as to achieve compliance with this code within ten working days. The work or installation shall then be resubmitted to the Code Official for inspection and testing. (Ord. 19659 §8; December 12, 2011; prior Ord. 19277 §10; June 29, 2009).

25.10.110 Section 107.5 Amended; Testing and Inspections; Temporary Connection.

Section 107.5 of the International Fuel Gas Code is amended to read as follows:

107.5 Temporary connection. The Code Official shall have the authority to authorize the temporary connection of a mechanical system to the sources of energy for the purpose of testing mechanical systems. (Ord. 19659 §9; December 12, 2011; prior Ord. 19277 §11; June 29, 2009).

25.10.120 Section 108.4 Amended; Penalties.

Section 108.4 of the International Fuel Gas Code is amended to read as follows:

108.4 Penalties. Any person, firm, or corporation violating any of the provisions of this code shall be guilty of a misdemeanor, and each such person shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of this code is committed, continued, or permitted, and upon conviction of any such violation, such person shall be punishable by a fine not to exceed \$500.00, or by imprisonment for not more than six months, or by both such fine and imprisonment, except that each person so convicted shall be fined in a sum of not less than \$200.00 for the first offense, not less than \$250.00 for the second offense, and not less than \$300.00 for the third offense and each offense thereafter. (Ord. 19277 §12; June 29, 2009).

25.10.130 Section 108.5 Amended; Stop Work Orders.

Section 108.5 of the International Fuel Gas Code is amended to read as follows:

108.5 Stop work orders. Upon notice from the Code Official that work is being done contrary to the provisions of this code or in a dangerous or unsafe manner, such work shall immediately cease. Such notice shall be in writing and shall be given to the owner of the property, or to the owner's agent, or to the person doing the work. The notice shall state the conditions under which work is authorized to resume. Where an emergency exists, the Code Official shall not be required to give a written notice prior to stopping the work. Any person who shall continue any work on the system after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be guilty of a misdemeanor. (Ord. 19277 §13; June 29, 2009).

25.10.140 Section 109 Amended; Means of Appeal.

Section 109 of the International Fuel Gas Code is amended to read as follows:

109.1 Application for appeal. A person shall have the right to appeal a decision of the Code Official to the board of appeals. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or an equally good or better form of construction is proposed. The application shall be filed on a form obtained from the Code Official within 30 days after the notice was served.

109.1.1 Limitation of authority. The board of appeals shall have no authority relative to interpretation of the administration of this code nor shall such board be empowered to waive requirements of this code.

109.2 Membership of Board. All appeals under this code shall be appealed to the Mechanical Advisory and Appeals Board created under Lincoln Municipal Code Section 25.04.160. The method and process for appeal shall be as set forth in the Lincoln Mechanical Code. (Ord. 19277 §14; June 29, 2009).

25.10.150 Section 301.6 Amended; Plumbing Connections.

Section 301.6 of the International Fuel Gas Code is amended to read as follows:

301.6 Plumbing connections. Potable water supply and building drainage system connections to appliances regulated by this code shall be in accordance with the City of Lincoln Plumbing Code. (Ord. 19659 §10; December 12, 2011; prior Ord. 19277 §15; June 29, 2009).

25.10.160 Section 303.3 Amended: Prohibited Locations.

Section 303.3 of the International Fuel Gas Code is amended to read as follows:

303.3 Prohibited locations. Appliances shall not be located in sleeping rooms, bathrooms, toilet rooms, storage closets or surgical rooms, or in a space that opens only into such rooms or spaces, except where the installation complies with one of the following:

1. The appliance is a direct-vent appliance installed in accordance with the conditions of the listing and the manufacturer's instructions.
2. Vented room heaters, wall furnaces, vented decorative appliances, vented gas fireplaces, vented gas fireplace heaters and decorative appliances for installation in vented solid fuel-burning fireplaces are installed in rooms that meet the required volume criteria of Section 304.5.
3. Fuel burning equipment may be approved for replacement in a bathroom with combustion air obtained in accordance with this chapter.
4. Equipment burning liquified petroleum gas (LPG) or a liquid fuel shall not be located in a pit, underfloor space, walkout basement, below grade or any similar location where vapors or fuel might unsafely collect unless an approved method for safe collection, removal and containment or disposal of the vapors or fuel is provided. Appliances so fueled shall not be installed in any room or area unless installed with use of a UL or AGA approved audible fuel alarm in each room or area above or below grade.
5. The appliance is installed in a room or space that opens only into a bedroom or bathroom, and such room or space is used for no other purpose and is provided with a solid weather-stripped door equipped with an approved self-closing device. All combustion air shall be taken directly from the outdoors in accordance with Section 304.6.
6. Unvented fuel burning appliances shall not be installed in any living quarters or garages attached to living quarters. (Ord. 19659 §11; December 12, 2011; prior Ord. 19277 §16; June 29, 2009).

25.10.165 Section 305.1.1 Added; Carbon Monoxide Detection.

Section 305.1.1 is added to the International Fuel Gas Code to read as follows:

305.1.1 Carbon monoxide detection. An approved Carbon Monoxide detector/alarm shall be required with replacement fuel burning appliances requiring a permit and inspection governed by this code. (Ord. 19659 §12; December 12, 2011).

25.10.170 Section 307.2 Amended; Fuel-burning Appliances.

Section 307.2 of the International Fuel Gas Code is amended to read as follows:

307.2 Fuel-burning appliances. Liquid combustion by-products of condensing appliances shall be collected and discharged to an approved plumbing fixture or disposal area in accordance with the manufacturer's installation instructions. Condensate piping shall be of approved corrosion-resistant material and shall not be smaller than the drain connection on the appliance. Such piping shall maintain a minimum slope in the direction of discharge of not less than one-eighth unit vertical in 12 units horizontal (1-percent slope).

Exception: Liquid by-products may be discharged to the outside provided the condensate pipe contains a heated cable approved for wet locations and the cable is placed inside of the pipe. The heated cable must pass through the pipe from the interior to the exterior of the building. (Ord. 19277 §17; June 29, 2009).

25.10.180 Chapter 4 Deleted; Gas Piping Installations.

Chapter 4 of the International Fuel Gas Code is hereby deleted. (Ord. 19277 §18; June 29, 2009).

25.10.190 Sections 501.7, 501.7.1, 501.7.2, 501.7.3 Deleted; Connection to Fireplace.

Section 501.7 and subsections 501.7.1, 501.7.2, 501.7.3 of the International Fuel Gas Code are hereby deleted. (Ord. 19277 §19; June 29, 2009).

25.10.200 Section 501.8 Amended; Equipment Not Required to be Vented.

Section 501.8 of the International Fuel Gas Code is amended to read as follows:

501.8 Equipment not required to be vented. The following appliances shall not be required to be vented.

1. Ranges.
2. Built-in domestic cooking units listed and marked for optional venting.
3. Hot plates and laundry stoves.
4. Type 1 clothes dryers (Type 1 clothes dryers shall be exhausted in accordance with the requirements of Section 614).
5. A single booster-type automatic instantaneous water heater, where designed and used solely for the sanitizing rinse requirements of a dishwashing machine, provided that the heater is installed in a commercial kitchen having a mechanical exhaust system. Where installed in this manner, the draft hood, if required, shall be in place and unaltered and the draft hood outlet shall be not less than 36 inches (914 mm) vertically and 6 inches (152 mm) horizontally from any surface other than the heater.
6. Refrigerators.
7. Counter appliances.
8. Room heaters listed for unvented use.
9. Direct-fired make-up air heaters.
10. Other equipment listed for unvented use and not provided with flue collars.
11. Specialized equipment of limited input such as laboratory burners and gas lights.

Where the appliances and equipment listed in Items 5 through 11 above are installed so that the aggregate input rating exceeds 20 British thermal units (Btu) per hour per cubic foot (207 watts per m³) of volume of the room or space in which such appliances and equipment are installed, one or more shall be provided with venting systems or other approved means for conveying the vent gases

to the outdoor atmosphere so that the aggregate input rating of the remaining unvented appliances and equipment does not exceed the 20 Btu per hour per cubic foot (207 watts per m³) figure. Where the room or space in which the equipment is installed is directly connected to another room or space by a doorway, archway, or other opening of comparable size that cannot be closed, the volume of such adjacent room or space shall be permitted to be included in the calculations. (Ord. 19659 §13; December 12, 2011 Ord. 19277 §20; June 29, 2009).

25.10.210 Section 502.4 Deleted; Insulation Shield.

Section 502.4 of the International Fuel Gas Code is hereby deleted. (Ord. 19277 §21; June 29, 2009).

25.10.220 Section 504.3.22 Deleted; Component Commingling.

Section 504.3.22 of the International Fuel Gas Code is hereby deleted. (Ord. 19277 §22; June 29, 2009).

25.10.230 Section 505.1.1 Deleted; Commercial Cooking Appliances Vented by Exhaust Hoods.

Section 505.1.1 of the International Fuel Gas Code is hereby deleted. (Ord. 19277 §23; June 29, 2009).

25.10.240 Section 621 Deleted; Unvented Room Heaters.

Section 621 of the International Fuel Gas Code and all subsections thereof are hereby deleted. (Ord. 19277 §24; June 29, 2009).

25.10.250 Appendix B Adopted; Sizing of Venting Systems Serving Appliances Equipped with Draft Hoods, Category I Appliances, and Appliances Listed for Use with Type B Vents.

Appendix Chapter B of the International Fuel Gas Code is hereby adopted and incorporated into the Lincoln Fuel Gas Code. (Ord. 19277 §25; June 29, 2009).

25.10.260 Appendix C Adopted; Exit Terminals of Mechanical Draft and Direct-Vent Venting Systems.

Appendix Chapter C of the International Fuel Gas Code is hereby adopted and incorporated into the Lincoln Fuel Gas Code. (Ord. 19277 §26; June 29, 2009).